



# Complete Agenda

Democracy Services  
Council Offices  
CAERNARFON  
Gwynedd  
LL55 1SH

Meeting

**COMMUNITIES SCRUTINY COMMITTEE**

Date and Time

**10.30 am, THURSDAY, 22ND APRIL, 2021**

Location

**Cyfarfod Rhithiol – Virtual Meeting**

Contact Point

**Natalie Lloyd Jones**

**NatalieLloydJones@Gwynedd.Llyw.Cymru**

(DISTRIBUTED 14/04/21)

# **COMMUNITIES SCRUTINY COMMITTEE**

## **MEMBERSHIP (18)**

### **Plaid Cymru (10)**

#### Councillors

Elwyn Edwards  
Linda Morgan  
Simon Glyn

Annwen Hughes  
Edgar Wyn Owen  
Berwyn Parry Jones

Aled Wyn Jones  
Gethin Glyn Williams  
Dafydd Owen

### **Independent (5)**

#### Councillors

Kevin Morris Jones  
Elwyn Jones  
Angela Russell

Mike Stevens  
Elfed Powell Roberts

### **Llais Gwynedd (2)**

#### Councillors

Robert Glyn Daniels

Owain Williams

### **Individual Member (1)**

Councillor  
Stephen W. Churchman

### **Ex-officio Members**

Chair and Vice-Chair of the Council

### **Other Invited Members**

# **A G E N D A**

## **1. APOLOGIES**

To receive any apologies for absence.

## **2. DECLARATION OF PERSONAL INTEREST**

To receive any declaration of personal interest

## **3. URGENT ITEMS**

To note any items that are a matter of urgency in the view of the Chairman for consideration.

## **4. MINUTES**

4 - 8

The Chairman shall propose that the minutes of the previous meeting of this Committee held on the 25 February 2021, be signed as a true record.

## **5. PUBLIC SERVICES BOARD**

9 - 15

**Cabinet Member: Councillor Dyfrig Siencyn**

To consider the report.

## **6. CONTROL OF FIREWORK DISPLAYS**

16 - 27

**Cabinet Member: Councillor Gareth W Griffith**

To consider the report.

## **7. PUBLIC PROTECTION SERVICES**

28 - 32

**Cabinet Member: Councillor Gareth W Griffith**

To consider the report.

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## Communities Scrutiny Committee 25 February 2021

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### Attendance:

**COUNCILLORS:** Stephen Churchman, Glyn Daniels, Elwyn Edwards, Simon Glyn, Annwen Hughes, Berwyn Parry Jones, Elwyn Jones, Dafydd Owen, Edgar Wyn Owen, Elfed Roberts, Angela Russell, Mike Stevens and Owain Williams

### Officers present:

Bethan Adams (Scrutiny Advisor), Lowri Haf Evans and Natalie Jones (Democracy Services Officers).

### Also in attendance:

Present for item 5:

Councillor Gareth Griffith (Cabinet Member – Environment), Dafydd Wyn Williams (Head of Environment Department), Wyn Williams (Countryside Manager).

Present for item 6:

Councillor Gareth Griffith (Cabinet Member for the Environment), Dafydd Wyn Williams (Head of Environment Department), Gareth Jones (Assistant Head of Environment), Heledd Jones (Team Leader – Joint Planning Policy Unit, Anglesey and Gwynedd).

Present for item 7:

Councillor Gareth Griffith (Cabinet Member for the Environment), Dafydd Wyn Williams (Head of Environment Department), Gareth Jones (Assistant Head of Environment).

Sincere condolences were extended to the family of Gwenan Parry, the former head of customer care at the Council.

### 1. APOLOGIES

Apologies was received from Councillors Kevin Morris Jones, Linda Morgan, Aled Wyn Jones and Gethin Williams.

### 2. DECLARATION OF PERSONAL INTEREST

Councillors Berwyn Parry Jones and Owain Williams declared an interest in Item 6, and noted that they were members of the Joint Planning Policy Committee.

The members were of the opinion that they were prejudicial interests, and they withdrew from the meeting during the discussions on the item.

### 3. URGENT ITEMS

None to note.

#### 4. MINUTES

The Chair signed the minutes of the previous meeting of this committee, held on 10 December 2020, as a true record.

#### 5. RIGHTS OF WAY ACTION PLAN WORK PROGRAMME

Submitted - the report of the Countryside Manager, highlighting the work that had been in progress. He reiterated that the aim of the plan was to ensure that accessible and safe access was available for people to use in the countryside, green spaces and along the coast. The Committee's opinion was sought regarding the content of the latest review.

An overview of the three main headings incorporated in the plan was provided;

- 1) Maintain and manage the network - it was noted that different types of users needed to be addressed; however, priority was given to paths in categories 1 and 2.
- 2) The definitive map and statement - it was explained that this could be referred to should a case or dispute arise regarding the status or existence of a path.
- 3) Assess and meet the needs of users - It was noted that there had been an increased demand for multi-use paths during lockdown, as more people stayed local. It was explained that the *lonydd glas* allowed for this type of use to an extent.

It was explained that a marked difference when comparing with the previous plan was the absence of detailed work programme. Instead, it was noted that annual or two-yearly work programmes would be prepared. It was noted that the plan tied in with the policies of the Council, Welsh Government and Natural Resources Wales.

Before opening the discussion up to the committee, the members were asked to consider whether the report conveyed, in their opinion, the aspirations and requirements of the people of Gwynedd, considering accessible countryside access.

During the discussion, the following observations were made by Members:-

- The members gave thanks for the draft report and the discussion was commenced by enquiring what methods had been used to assess accessibility for disabled people as there was so many diverse needs. In addition, it was asked whether disability organisations had been consulted as part of the plan.
- What steps were intended to be taken to update the information in terms of the condition of the network? Attention was given to the possibility of grading the accessibility of the different paths, in order for residents to plan using appropriate paths that met their needs.
- A discussion was held on whether there was a risk of losing paths in lower categories that did not receive regular funding such as categories 1 or 2.
- It was noted that some landowners refused to accept that there was a public footpath on their land. This was reiterated and it was noted that barriers such as fences disrupted some paths as a result of this.
- A discussion was held on the possibility of clear signage in order to show the right way for walkers or users, as some paths were vague.
- The committee's attention was drawn to the condition of the path near Pistyll Church.

- Reference was made to the importance of the following report, emphasising that everyone benefited from the paths.
- It was explained that some towns or communities had many paths to maintain and an enquiry was made about who funded these.

In response to the comments, the Countryside Manager noted the following points:

- The committee was reassured that a consultation had already been held in respect of accessibility for people with disabilities. This was reiterated, noting that the Council's Disability Officer had collaborated with the department.
- It was acknowledged that it was difficult to meet everyone's needs and assess each path; however, reference was made to the common principle of reducing barriers and this was done as much as possible.
- It was noted that one of the objectives and actions was to develop basic knowledge about the condition of the network.
- In response to concerns regarding the loss of paths, it was noted that the lowest categories included paths that were not in use; however, legally, they had not been lost. It was reiterated that the process of surrendering the occupancy of a path was long.
- In relation to the path near Pistyll Church, it was noted that the relevant service would be informed of this.
- With regards to maintenance within communities and towns, it was noted that the Council contributed towards this and that it was possible to apply for external grants. It was reiterated that liaison officers were working to identify local grants that could be used to maintain paths.

## **RESOLVED**

- To accept the draft plan and note the observations received during the meeting and incorporate them in the document for public consultation.
- That the final version is submitted before the committee following the consultation period.

## **6. SUPPLEMENTARY PLANNING GUIDANCE: TOURIST ATTRACTIONS AND ACCOMMODATION**

The Team Leader, Joint Planning Policy Unit, presented the report with the aim of raising awareness about the supplementary planning guidance. The committee was asked to provide feedback before the report was submitted to the Joint Planning Policy Committee for approval to adopt or not.

The contents were reported upon and then attention was drawn to Appendix 2, namely a comprehensive draft version of the Supplementary Planning Guidance that had already been submitted to the Scrutiny and Partnership Committee, Isle of Anglesey Council.

During the discussion, the following observations were submitted by members:-

- It was questioned whether the new policy allowed sites for static caravans as well as touring units
- Concern was expressed regarding over-tourism as was seen last year following the easing of restrictions.
- It was reiterated that a very high number of caravan sites existed in Gwynedd already.

In response to the members' observations, it was noted:

- That the policy in question permitted new touring caravans as well as new static caravans, provided that the static sites were not located within an AONB or Special Landscape Area. It was noted that the policies in relation to caravan sites would be the subject of the process of reviewing the Joint Local Development Plan.
- In relation to the concerns of over-tourism, assurance was given that this would be revisited.
- There were many examples where applications had been refused if they were contrary to relevant plans, and there was scope to refuse developments that did not comply with relevant policies.
- That there were major changes afoot on a national level regarding planning and that this would be considered when reviewing the plan.

## **RESOLVED**

To accept the report and to note the observations.

## **7. PUBLIC PROTECTION SERVICE - WORK DURING THE PANDEMIC**

The report of the Head of the Environment Department was presented, highlighting the different aspects that the public protection service had been dealing with over the past period.

It was reiterated that the service's profile had been highlighted as they had been working recently on the front-line by contact tracing and in relation to COVID-19 regulation compliance.

One concern for the service in moving forward was explained, namely the provision of normal service, i.e. food hygiene inspections as places reopened, as well as the current requirements relating to the pandemic.

It was added that three additional officers had been appointed to share the burden of work as the demands on the service grew. It was reiterated that the new officers would be developed and trained for the purpose of retaining them as Environmental Health Officers in the future, to strengthen the service.

During the discussion, the following observations were made by Members:-

- Members gave thanks for the report and thanked the whole department for their very important work during the COVID-19 period.
- It was reiterated that cases of COVID-19 had increased in the Bala area for example, and that tracing officers had worked tirelessly in order to contact everyone involved.
- It was asked how the department dealt with residents that had started food businesses from their homes during the pandemic.
- The news that three new members had been appointed to the department was welcomed and it was noted that this was a good move for the future.
- Members gave thanks for all e-mail updates provided on the public protection situation and it was reiterated that this report outlined the additional work that was being done.
- It was asked whether the service was confident that it would be able to cope with its workload when normal duties returned.

In response to the above observations, the following was noted:-

- It was explained that the department was supporting the residents who had established food businesses from their homes during lockdown. However, everyone did not contact the department to register and it was noted that this was essential so that the department could ensure health and safety standards.
- It was reiterated that the department's purpose was to support and engage, and not to punish and enforce.
- It was noted that the service would be under pressure should inspections recommence at the usual scale, on top of the COVID-19 duties.
- It was acknowledged that the department's officers worked long hours and that this was now a long-term situation, and not a temporary one as initially anticipated.
- It was noted that support from the Council and Welsh Government to appoint additional staff was to be welcomed as this reduced pressure on officers.
- In relation to the COVID-19 situation, it was noted that the numbers were a bit stubborn within the County, and that clusters had emerged recently.

In addition to the responses, the Head of Environment Department noted that risks had been highlighted over the past twelve months, and that high-risk elements of work had continued. He reiterated that officers had had to continue dealing with serious health and welfare matters, e.g. matters relating to animal welfare. In addition, a reminder was given that Brexit-related issues had continued, including supporting businesses with exports, in particular food supply companies.

On the whole, a challenging period was anticipated in coping with the phased reopening of the economy.

## **RESOLVED**

To accept the contents of the report and to note the observations.

The meeting commenced at 10.30am and concluded at 12.15pm



<b>Committee</b>	<b>Communities Scrutiny Committee</b>
<b>Date</b>	<b>22<sup>nd</sup> April 2021</b>
<b>Job Title</b>	A progress report on the delivery of the Wellbeing Plan by the Gwynedd and Anglesey Public Services Board
<b>Cabinet Member</b>	<b>Councillor Dyfrig Siencyn</b>
<b>Purpose</b>	Provide a report on the progress of the work of the Anglesey and Gwynedd Public Services Board

## **1 Introduction and context**

**1.1** The aim of the Well-being of the Future Generations Act (2015) is to improve the economic, social, environmental and cultural well-being of Wales. The Act highlights seven well-being goals and five ways of working in order to give public bodies a common purpose.

**1.2** The Gwynedd and Anglesey Public Services Board (PSB) was established in 2016, in accordance with the Well-being of Future Generations (Wales) Act 2015 (the Act). Indeed, a PSB has been established for all Local Authorities in Wales to ensure collaboration among public bodies to create a better future for the people of Wales. The decision undertaken in North West Wales was to establish a Public Services Board (PSB) for Gwynedd that would *collaborate* with the Public Services Board for Anglesey.

**1.3** During 2017 the Gwynedd and Anglesey Public Services Board divided our communities into 14 smaller areas in order to carry out detailed research, and learn more about the well-being of those areas. The information was published in the form of the Well-being Assessments. The information gathered from the assessments was used to shape the PSB's priorities which have been confirmed in the Well-being Plan (2018). The following priorities were agreed:

- The Welsh language
- Homes for local people;
- The effect of poverty on the well-being of our communities;
- The effect of climate change on the well-being of our communities;
- Health and care of adults and the wellbeing and achievement of children and young people

## **2. An update on the progress of the work of the PSB**

**2.1** As highlighted in the Public Services Board's Terms of Reference the PSB has four statutory members namely The Local Authorities, Health Board, Natural Resources Wales and the Fire Service – together with guest participants who contribute to the Board's duties.

**2.2** The PSB has sub-groups to support it in carrying out its functions. Below is an update on the work of the sub-groups. It is fair to say that the pandemic has slowed the progress of the sub-groups in recent months, but now all of the sub-groups are resuming their work plans. The PSB has continued to hold meetings during the pandemic which demonstrates the commitment of our members to the work.

## 2.3 Objective 1 – Communities which thrive and are prosperous in the long-term

Priority	What the PSB has achieved to date
<p><b>The Welsh Language:</b> We will work together to increase the use of the Welsh language within public bodies in Gwynedd and Anglesey. We will promote the use of the Welsh language as the language of choice for public organisations across both counties</p>	<ul style="list-style-type: none"> <li>▪ In relation to the promotion of the use of Welsh as the language of choice for public organisations, the sub-group had begun to address the issue. Before the pandemic the sub-group had submitted a project to look at how the use of Welsh in public bodies' reception areas could be increased. Grant funding had also been identified to support the project. Unfortunately the project had to be postponed due to the pandemic.</li> <li>▪ There is now a new leader for the language subgroup, Aled Jones Griffith of Coleg Llandrillo Menai. The sub-group is looking to revise its terms of reference, clearly defining the purpose and scope of the sub-group. During the next 6-12 months they will focus on 2/3 projects, considering the following: revisiting the reception project, IT issues, the use of apps and the linguistic expectation when establishing Corporate Joint Committees (CJCs).</li> </ul>
<p><b>Homes for local people:</b> We will work with the housing sector to secure more suitable and affordable homes in the right places to meet local needs. We will work together to ensure that homes are of high quality that meets the needs of residents</p>	<p>The purpose of the sub group is to look for opportunities to develop innovative housing, which complement and not duplicate the work arising from Gwynedd's housing strategy.</p> <p>The group has established collaboration arrangements and sharing of good practice between Anglesey County Council, Gwynedd Council, Snowdonia National Park and Adra. An evaluation of different innovative housing models and their financial viability was undertaken, and an evaluation of different sites and their suitability for innovative housing development. This process has demonstrated the willingness of partners to share information on financial assumptions and assets with</p>

	<p>the subgroup. This shows the benefit of working in collaboration.</p> <p>The subgroup evaluated a large number of sites as part of their work, and their suitability for different models. The exercise was used to rule out unsuitable or viable sites and if there is any opportunity for joint procurement (if their timescales match). As a result sites have been identified for the development of innovative housing.</p> <p>The sub group believe that their work is coming to an end, as continuing the work would duplicate what is already being done by the individual organisations. The focus for the 6 months it to look at opportunity of joint procurement on the identified sites.</p> <p>On an issue related to the work of the homes subgroup (but not part of their action plan) Dafydd Gibbard was invited to the PSB meeting in December to give an update from Gwynedd Council on the impact of second homes on the housing market. The availability of housing for local people continues to be a concern for the PSB, and the individual organisations. It was agreed that the PSB would write a letter to the Welsh Government to support the views of Gwynedd Council and the Isle of Anglesey County Council on the matter, who have already contacted the Government to ask for their cooperation. The letter from the PSB specifically referred to well-being issues from a housing perspective, and the long-term impact of the issue on the well-being of our residents.</p>
<p><b>The effect of poverty on the well-being of our communities:</b> We will develop a detailed understanding of how poverty affects the area and look to ensure that the work happening across public bodies is more</p>	<p>The Public Services Board has given considerable thought to how they might respond to this priority, without duplicating the work already undertaken by the public bodies in this field of work. It was agreed that</p>

<p>effective in mitigating the long-term effects of poverty.</p>	<p>the role of the PSB would be to keep an overview of work going on in the field of poverty by Gwynedd Council and the Isle of Anglesey County Council in the first instance. Local Authorities have their arrangements and plans in place for tackling poverty.</p> <p>Gwynedd Council is working together on a Supporting Families' Program with the aim of providing the right support, at the right time to support the Well-being of the People of Gwynedd.</p> <p>Other partners of the Board also have their own arrangements and plans to tackle poverty. This became even more apparent during the pandemic, where everyone worked together to look after our most vulnerable communities.</p>
<p><b>The effect of climate change on the well-being of communities:</b> We will work together locally to mitigate the effects of climate change on our communities.</p>	<p>A series of workshops have recently been held to work together on updating the sub-group's action plan. The group encourages input from other partners, and Cyngor Gwynedd in particular. They have agreed on the following vision "Empower our communities to adapt, manage and reduce the impact of climate change: building on lessons learnt during Covid about the value of access to local places/ spaces to our lives."</p> <p>Work will commence in 3 pilot areas within the next 6-12 months. The subgroup are also awaiting guidance on a regional level on climate change issues. Natural Resources Wales commissioned Alan Netherwood to produce a report on a regional approach to Climate Change. The report recommends that North Wales moves towards a transformational approach to the climate crisis and identifies three priority areas where regional cooperation should be developed over a three year period. This would address climate change as a strategic issue critical to the future well-being of the region.</p> <p>Alongside the work of the sub-group Natural Resources Wales has been holding consultation / engagement sessions linked to their work on the Area Statements. The</p>

	evidence and findings of the area statements will be woven into the work of the sub group.
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## 2.4 Objective 2: Healthy and independent residents with a good quality of life:

Priority	What the PSB has achieved to date
<p><b>Health and care of adults:</b> We will work with the Regional Partnership Board to ensure that the services planned for the older population meet local needs. We will collaborate locally to plan a wide range of preventative activities for adults to enable them to live healthy and independent lives.</p>	<p>To deliver against these two priorities a Health and care sub group has been established. The purpose of this group is to establish joint working arrangements among public organisations in the field of Health and care. The work streams reporting to the subgroup are:</p> <ul style="list-style-type: none"> <li>• Adults</li> <li>• Children</li> <li>• Learning Disabilities</li> <li>• Mental health</li> <li>• Community Transformation</li> </ul> <p>Money from the transformation bids are used to deliver mental health, child and community transformation programs. Arrangements are in hand for integrating health and care at the most local level across the county. The past year has been a time of uncertainty and the need to work together, share information and ensure easy access to our services is more important than ever. The subgroup demonstrates a willingness to work in flexible, different ways that has emerged in recent months. The pandemic has impacted on the progress of each work stream, but plans to revisit and review the terms of reference are under way. It is intended to consider how the work of this particular subgroup adds value to other health and care plans and to align the work with regional health and care arrangements.</p>
<p><b>The welfare and achievement of children and young people:</b> We will plan preventative services and activities together to support families before the need for intensive intervention arises. We will encourage children, young people and their families to improve their health so that they can live healthily and independently within their communities in the long-term.</p>	

## 3. Wellbeing Assessments

**3.1** The first wellbeing assessments were published by the Gwynedd and Anglesey Public Services Board in 2017. Every 5 years, and as a statutory requirement of the Well-being of Future

Generations Act, Public Service Boards must prepare and publish an assessment of the state of economic well-being, social, environmental and cultural activities in its area, not more than a year before they publish their local well-being plan. We have started discussions in Gwynedd and Anglesey on how best to carry out the assessments, and carry out the PSB duties.

**3.2** We know that the communities of Anglesey and Gwynedd are tired of receiving requests to contribute to a number of recent consultation and engagement sessions. It is hoped that the PSB will contribute to a comprehensive piece of work, which demonstrates the willingness of public bodies to work together, ensuring that the outputs of the assessments are of use to the partner organizations and residents of Anglesey and Gwynedd.

**3.3** Internal and regional discussions with other Public Service Boards are already underway for the well-being assessments. As an initial step we have considered the engagement work that will take place in the communities of Gwynedd and Anglesey over the next 6-12 months. Work will be linked to the following main areas: Well-being Assessments, Population Assessment (required by the Councils and Health Board), and individual Council plans such as the Regeneration Framework in Gwynedd. We are also aware of work associated with the Area Statements by Natural Resources Wales already underway. A role of co-ordinating the work associated with the above plans is envisaged by the PSB support team.

#### **4. Delivery**

**4.1** The four sub-groups listed above are accountable to the Public Services Board in relation to the delivery of any commissioned work. It is expected that the sub group leaders will report on progress on a quarterly basis to the Gwynedd and Anglesey Public Services Board. Meeting the objectives will be an opportunity for PSB partners to demonstrate their willingness and commitment to work collaboratively and innovatively on achievable plans.

**4.2** The PSB operates in accordance with seven principles, namely the five national sustainable development principles above, plus two which have been added by the Board namely 'Welsh Language' and 'Equality'. This means acting in a way that seeks to ensure that today's needs are met without compromising the ability of future generations to meet their own needs.

**4.3** In order to respond to the timetable within the Well-being of Future Generations Act the PSB will publish an annual report by July 2021. The PSB will present the annual report to Gwynedd Scrutiny Committee, for comment.

#### **5. Scrutiny Arrangements**

**5.1** In order to gain democratic accountability for the progress of the work of the PSB the act has placed a requirement on councils to designate an Overview and Scrutiny Committee to scrutinise the work of the PSB. The work of the Gwynedd and Anglesey PSB is therefore scrutinised by the Scrutiny Committees of Gwynedd Council and the Isle of Anglesey County Council on specific points during the year. The Well-being of Future Generations Wales Act (2015) and associated national guidance set out three roles for Local Authority scrutiny committees:

- Review the governance arrangements of the PSB
- Be a statutory consultee on the Well-being Assessment and Well-being Plan
- Monitor the progress of the PSB's efforts in implementing the Well-being Plan.

**5.2** This means that scrutiny committees have the opportunity to scrutinise the performance and impact of the Public Services Board. During the past year discussions have been held between Gwynedd Council and the Isle of Anglesey County Council on the option of establishing one scrutiny panel, to operate across the two counties to scrutinise the work of the PSB. The scrutiny managers of both councils evaluated different options and concluded that they did not recommend the establishment of a panel at this stage but rather wanted to focus on aligning timescales and consistency of scrutiny arrangements across the two Counties and continuing with the current scrutiny arrangements. It will be possible to review these arrangements between the two councils again in due course.

## **6. Equality Impact Assessments**

**6.1** The PSB support team has already considered and recognised the need for impact assessments (eg Language and Equality) and assessments will be developed and used when the Board engages with our communities on points and for updating the Well-being Assessments. Impact assessments will also be used when projects are submitted by the sub-groups that propose policy / service change. Impact assessments will therefore be developed in order to measure and understand the impact of decisions on behalf of the subgroups made by the Public Services Board.

# Agenda Item 6

<b>Committee</b>	<b>COMMUNITIES SCRUTINY COMMITTEE</b>
<b>Date</b>	<b>22 April 2021</b>
<b>Title</b>	<b>CONTROL OF FIREWORK DISPLAYS</b>
<b>Cabinet Member</b>	<b>Councillor Gareth W Griffith</b>
<b>Author</b>	<b>Dafydd Wyn Williams – Head of Environment Department</b>
<b>Purpose</b>	<b>To explain the statutory responsibilities and the work arrangements the Council has regarding the control of firework displays.</b>

## 1. BACKGROUND

1.1 This report is submitted in response to a notice of motion by Councillor Paul Rawlinson namely:

*"To request that the Communities Scrutiny Committee gives consideration within its work programme to review what steps the Council can take to promote or encourage:*

- that all public firework displays within the local authority boundaries should be advertised in advance of the event, allowing residents to take precautions for their animals and vulnerable people.
- a public awareness campaign about the impact of fireworks on animal welfare and vulnerable people – including precautions that can be taken to mitigate risks.
- local suppliers of fireworks to stock 'quieter' fireworks for public displays.
- people to limit the use of fireworks to a period close to specific dates."

1.2 In order to seek a response to the matters raised above, and to facilitate the input of the Scrutiny Committee, it is firstly considered important to explain what are the Council's statutory responsibilities regarding fireworks and firework displays, as well as to explain any work arrangements the Council has that are not statutory requirements. It will then be possible to respond to the above bullet points individually.

## 2. STATUTORY RESPONSIBILITIES AND WORK ARRANGEMENTS

### **Sales and product safety**

2.1 The Council has statutory responsibilities regarding the sale of fireworks that are implemented by the Trading Standards, Markets and Fairs Service (Public Protection), the Environment Department and these are limited to:

- The Explosives Act 2014
- The Fireworks Regulations 2004
- The Pyrotechnic Articles (Safety) Regulations 2015

2.2 The Explosives Act 2014, places a responsibility on the Council to licence every business or premises that wish to store fireworks. A register is maintained, and every premises will be inspected to ensure that it is suitable to store fireworks, and is in compliance with the requirements.



- 2.3 The Fireworks Regulations 2004 and the Pyrotechnic Articles (Safety) Regulations 2015 place a responsibility on us to restrict the supply of fireworks as well as to ensure the safety and standard of fireworks themselves (the product). This includes restricting the period when fireworks are sold to specific seasons, together with ensuring that fireworks are not sold to anyone under a specific age. The specific period is:
- 15th October to 10th November
  - 26th December to 31st December
  - Chinese New Year and 3 days previously
  - Diwali and 3 days previously.
- 2.4 It is worth noting that it is possible under the Regulations to apply for a licence for the sale of fireworks throughout the year. However, this cost is substantially higher than the cost of a general licence. Currently, it is worthwhile noting that only 1 premises in Gwynedd has such a licence.
- 2.5 There are 4 types of fireworks (category F1/F2/F3/F4). A licence allows for the storage and sale of category F1, F2 and F3 fireworks, namely fireworks that are suitable for users only (user / public use only). Category F4 is a professional type of firework with a high risk to be used by a professional person, or who has specialist knowledge to use them in professional displays. We do not have any person/business in Gwynedd who stores/sells category F4 fireworks.
- 2.6 F1/F2/F3 fireworks have to reach the essential safety requirements, and it is worthwhile noting that the noise level cannot exceed 120db within a relevant distance (F1 - 1 metre, F2 - 8 metres, F3 - 15 metres).
- 2.7 Generally, there is no evidence of any difficulties in terms of compliance with the statutory requirements regarding sales and product safety, and there is good cooperation between the Council and the relevant businesses.
- 2.8 In Appendix 1 of the report, a more detailed overview is given of the requirements, in a document by the Trading Standards Wales group, that includes representation from Trading Standards Services from across Wales.

### **Noise issues**

- 2.9 In terms of matters specifically relating to noise pollution, the Council has statutory powers implemented by the Pollution Control and Licensing Service (Public Protection). The relevant legislation that confers powers to the Council to deal with cases of noise nuisance is the Environmental Protection Act 1990. In order to operate under the Act evidence is required, that an event is likely to create a statutory nuisance, or there is evidence that several regular and frequent events have caused people to suffer from noise in their homes.
- 2.10 When fireworks are used in an official event, officers can give advice on how to prevent the worst noise impacts and to ask to limit the times when fireworks are used, if the Council is informed about the event. When fireworks are used very occasionally, without notice by individuals, it is not possible to implement statutory nuisance prevention powers due to the lack of evidence that the nuisance will occur again.
- 2.11 It is also noted, based on the evidence to hand, that cases of complaints are presented very infrequently to the Pollution Control and Licensing Service (Public Protection) regarding organised firework displays. If there are cases, where fireworks are used in an anti-social way, then this is usually a matter that will be referred to the police.

## **Campaigns to raise awareness and to give advice to users / organisers**

- 2.12 In addition to the statutory responsibilities referred to above, the Trading Standards, Markets and Fairs Service undertake work that is non-statutory in relation to fireworks.
- 2.13 Campaigns take place annually regarding bonfire and firework safety, incorporating good practice advice to those who organise firework displays regarding not to light fireworks too late in the night etc.
- 2.14 The arrangements to raise awareness include cooperation with the North Wales Fire and Rescue Service, with press statements circulated annually and similar arrangements also being implemented at a national level.
- 2.15 There are arrangements in place with voluntary work to raise awareness and refer prospective users / organisers to the relevant requirements and good practice, for example the Fireworks Code that is attached as Appendix 2 to this report. It is noted that the Fireworks Code includes a reference to the following:
- Be considerate to your neighbours - avoid setting fireworks off late at night and remember there are regulations to be followed.
  - Keep pets indoors at night.

## **3. RESPONSE TO THE NOTICE OF MOTION**

- 3.1 Noting the above statutory requirements and non-statutory work undertaken by the Services, the following observations are given to the bullet points in the notice of motion:
- **that all public firework displays within the local authority boundaries should be advertised in advance of the event, allowing residents to take precautions for their animals and vulnerable people.**
- 3.2 Ideally, it is agreed that this would be good practice and we can continue to raise awareness of good practice but unfortunately, the Council has no powers to enforce this.
- **a public awareness campaign about the impact of fireworks on animal welfare and vulnerable people – including precautions that can be taken to mitigate risks.**
- 3.3 During the periods when fireworks are sold, the Trading Standards, Markets and Fairs Service seeks to ensure that information is shared on good practice regarding firework safety, the dangers etc. Usually by posting on the council's social website pages e.g. Facebook/Twitter. Also, as noted above, campaigns are coordinated jointly with the North Wales Fire and Rescue Service, as well as at a national level, this includes national and local press statements.
- **local suppliers of fireworks to stock 'quieter' fireworks for public displays.**
- 3.4 All suppliers in Gwynedd are licensed to only sell F1, F2 or F3 category fireworks. This means that the noise level cannot exceed 120db within a relevant distance (F1 - 1 metre, F2 - 8 metres, F3 - 15 metres).
- **people to limit the use of fireworks to a period close to specific dates.**

- 3.5 The Trading Standards, Markets and Fairs Service is responsible for the storage and sale of fireworks. Sales are restricted to specific periods that are close to special days as has already been mentioned.
- 3.6 Generally, the sales restrictions tend to influence the period when someone sets off fireworks, but a person has a right to light fireworks on any day of the year, subject to restrictions that prevent this between 11pm and 7am except for:
- Bonfire Night when they can be set off until midnight
  - New Year's Eve, Diwali and Chinese New Year until 1am
- 3.7 Therefore, unfortunately as the law allows the above in terms of setting off fireworks, we cannot force people to use fireworks during a period close to specific dates.

#### **4. RECOMMENDATIONS**

- 4.1 The Scrutiny Committee is asked to accept the report and make any observations.

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#### **APPENDICIES**

APPENDIX 1: Guidelines from the Trading Standards Wales group

APPENDIX 2: The Fireworks Code

# Appendix 1

## Fireworks

### In the guide

- [When can you sell fireworks?](#)
- [How do you obtain a licence to store fireworks?](#)
- [Exemption from licensing](#)
- [How do you store and sell fireworks safely?](#)
- [Which types of fireworks are banned?](#)
- [What are the age restrictions applicable to the sale of fireworks?](#)
- [Defences](#)
- [Keeping within the law](#)
- [Further information](#)
- [Penalties](#)
- [In this update](#)

A guide to the sale of fireworks, including licensing, categories of fireworks and age restriction

### **This guidance is for England and Wales**

If you intend to sell adult (categories F2 and F3) fireworks to consumers you must first obtain a storage licence from your local authority. If you intend to sell adult fireworks all-year round you must also obtain an all-year sales licence from your local authority.

It is your responsibility to keep within the law and to have systems in place that will act as a 'due diligence' defence to an allegation that a sale has taken place to a person under the minimum legal age.

### **When can you sell fireworks?**

If you have applied to your local authority (and been granted) a storage licence, then you can only sell adult fireworks during the following time periods:

- from 15 October to 10 November
- from 26 to 31 December
- on the first day of the Chinese New Year and the three days immediately preceding this
- on the first day of Diwali and the three days immediately preceding this

If you wish to sell outside of these periods, then you will need to apply for an all-year sales licence and pay a fee of £500.

### **How do you obtain a licence to store fireworks?**

If you want to store more than 5 kg and less than 2,000 kg net explosive content (NEC) of adult fireworks, you need to apply to your local authority for a licence. Your

local authority can provide you with an application form, which you should complete and return with the fee, a site plan and, where relevant, a floor plan.

The application form requires that you state the 'hazard type' and amount of explosive content that you intend to store. Fireworks are divided into four hazard types (HT1, HT2, HT3 and HT4) for storage licensing purposes. HT1 and HT2 are not suitable for retail storage and the amount of HT3 and HT4 is restricted as follows:

- you can store up to 250 kg of HT4 fireworks in a suitable building with no separation required from other buildings or places with public access
- you are restricted to 25 kg of HT3 fireworks or a combination of HT3 and HT4 fireworks in a suitable building with no separation required from other buildings or places with public access
- where sleeping accommodation is adjacent to a fireworks store, only 75 kg of HT4 fireworks can be stored
- storage of more than 250 kg of HT4 fireworks or storage of more than 25 kg of HT3 fireworks up to a maximum of 2,000 kg requires a suitable building separated from other buildings or places with public access

You should seek advice from your supplier as to the suitability of the fireworks you intend to store and sell. The storage of HT3 fireworks severely restricts the amount of fireworks you can store in typical retail premises. The sale of fireworks is governed by different legislation, which uses a different numbering system. HT4 fireworks are suitable for retail sale and are categorised for sale using a system that is explained below. HT3 fireworks are normally only available from specialist fireworks suppliers with premises that only supply fireworks.

### **Exemption from licensing**

A special exemption from licensing is made where the only fireworks offered for sale are category F1 fireworks and the total amount of explosive content of the fireworks does not exceed 5 kg.

Category F1 fireworks present a very low hazard and negligible noise level, and are intended for use in confined areas, including inside domestic buildings.

The fireworks must be stored safely as explained in the next section but may be sold all-year round to persons aged 16 and over. It is recommended that the fireworks should be kept behind the counter, out of the reach of children and a notice should be displayed warning of the age restriction.

### **How do you store and sell fireworks safely?**

This area is covered by the Explosives Regulations 2014.

Your local authority will give you advice on the safe storage and sale of fireworks. The HSE also has guidance on [storing and selling fireworks](#) on its website. This guidance includes a [risk assessment checklist](#).

If you do not have a storeroom to use exclusively for the storage of fireworks, category F2 and F3 fireworks should be stored away from the shop premises or be kept either:

- away from the sales area in their closed transport packaging in a fire-resistant cabinet, container or within a suitable cage  
... or
- in a suitable display case (the size of the retail sales area determines maximum quantities of fireworks that can be stored on the shop floor)

### **Which types of fireworks are banned?**

Only fireworks that comply with safety standards, carry the UKCA mark and are correctly labelled in English with details of the manufacturer and importer can legally be supplied to consumers. There is also a UKNI mark that needs to be used where Northern Ireland is involved.

Fireworks that comply with European safety standards, carry the CE mark and were legal to be supplied in the UK before 1 January 2021 can be supplied to consumers until a date to be set by the Government.

For more information on UKCA, UKNI and CE marking please see ['Product safety: due diligence'](#).

Boxes of fireworks must not be split and sold separately.

Any firework that exceeds 120 decibels must not be supplied to consumers.

Also banned are fireworks of the following description:

- an aerial wheel
- a banger, flash banger or double banger
- a jumping cracker
- a jumping ground spinner
- a spinner
- a mini rocket
- a shot tube that produces a loud noise as its main effect and/or has an inside diameter greater than 30 mm
- a battery containing bangers, flash bangers or double bangers
- a combination (other than a wheel) that includes one or more bangers, flash bangers or double bangers

### **What are the age restrictions applicable to the sale of fireworks?**

The Pyrotechnic Articles (Safety) Regulations 2015 prohibit the supply of category F4 fireworks to the general public. The Regulations prohibit the supply of category F2 (outdoor use - confined areas) and category F3 (outdoor use - large open areas) fireworks to any person under 18. The Regulations prohibit the supply of category F1 (indoor use low-hazard low-noise - party poppers etc) fireworks to any person under 16. An exception is made for Christmas crackers, which must not be supplied to any person under 12. Caps for toy guns are exempt from fireworks legislation.

**Note:** the labelling on packets of sparklers must carry the words: 'Warning: not to be given to children under five years of age'.

Where adult (categories F2 and F3) fireworks are supplied or exposed for supply in any premises, the Fireworks Regulations 2004 require a notice to be displayed in a

prominent position in those premises, no less than 420 mm by 297 mm (A3), with letters no less than 16 mm high, giving the following information:

**IT IS ILLEGAL TO SELL CATEGORY F2 FIREWORKS OR CATEGORY F3 FIREWORKS TO ANYONE UNDER THE AGE OF 18**  
**IT IS ILLEGAL FOR ANYONE UNDER THE AGE OF 18 TO POSSESS CATEGORY F2 FIREWORKS OR CATEGORY F3 FIREWORKS IN A PUBLIC PLACE**

### **Defences**

If you are charged with an offence, you have the defence that you took all reasonable precautions and exercised all due diligence to avoid committing the offence. It is your responsibility to keep within the law and to have systems in place that will act as a 'due diligence' defence to an allegation that a sale has taken place to a person under the minimum legal age.

Offences are of strict liability, which means that they can occur even when the business owner is not on the premises.

### **Keeping within the law**

In order to keep within the law and therefore satisfy the legal defences, you should introduce an age verification policy and have effective systems to prevent an underage sale. These systems should be regularly monitored and updated as necessary to identify and put right any problems or weaknesses or to keep pace with any advances in technology.

Key best practice features of an effective system include the following.

#### **AGE VERIFICATION CHECKS**

Always ask young people to produce proof of their age. The Chartered Trading Standards Institute, the Home Office and the National Police Chiefs' Council support the UK's national **Proof of Age Standards Scheme (PASS)**, which includes a number of card issuers. You can be confident that a card issued under the scheme and bearing the PASS hologram is an acceptable proof of age.

A passport or photocard driving licence can also be accepted, but make sure that the card matches the person using it and the date of birth shows they are at least the minimum legal age. Military identification cards can be used as proof of age but, as with other forms of identification, make sure the photo matches the person presenting the card and check the date of birth. Be aware that military identification cards can be held by 16 and 17-year-old service people.

You do not have to accept all of the above forms of identification and it may be best to exclude any type of document that your staff are not familiar with.

Some young people may present false identification cards so it is advisable to also check the look and feel of a card. For example, the PASS hologram should be an integral part of a PASS card and not an add-on.

If the person cannot prove that they are at least the minimum legal age - or if you are in any doubt - the sale should be refused.

Please see the Home Office [False ID Guidance](#) for more information.

## OPERATE A CHALLENGE 21 OR CHALLENGE 25 POLICY

This means that if the person appears to be under 21 or 25, they will be asked to verify that they are over the minimum legal age by showing valid proof of age.

## STAFF TRAINING

Make sure your staff are properly trained. They should know which products are age restricted, what the age restriction is and the action they must take if they believe a person under the minimum legal age is attempting to buy. It is important that you can prove your staff have understood what is required of them under the legislation. This can be done by keeping a record of the training and asking members of staff to sign to say that they have understood it. These records should then be checked and signed on a regular basis by management or the owner.

## MAINTAIN A REFUSALS LOG

All refusals should be recorded (date, time, incident, description of potential buyer). Maintaining a refusals log will help to demonstrate that you actively refuse sales and have an effective system in place. Logs should be checked by the manager / owner to ensure that all members of staff are using them.

A specimen [refusals log](#) is attached.

Some tills have a refusals system built in. If using a till-based system, you should ensure that refusals can be retrieved at a later date. You should also be aware that some refusals are made before a product is scanned.

## STORE AND PRODUCT LAYOUT

Identify the age-restricted products (including category F1 fireworks, such as party poppers) in your store and consider moving them nearer to, or even behind, the counter.

Consider displaying dummy packs so that people have to ask for the products if they want to buy them.

## TILL PROMPTS

If you possess an EPoS system, it may be possible to use it to remind staff of age restrictions via a prompt. Alternatively, stickers can be used over certain product barcodes.

## SIGNAGE

In addition to the legally required fireworks notice, you may wish to display a poster showing the age limit for the sale of category F1 fireworks (16) and a statement regarding the refusal of such sales. This may deter potential purchasers and act as a reminder to staff.

## CLOSED CIRCUIT TELEVISION (CCTV)

A CCTV system may act as a deterrent and reduce the number of incidents of underage sales. It will also help you to monitor 'blind spots' within your store if it is



not possible to change the layout or relocate the products behind, or closer to, the counter.

## ONLINE SALES

If you sell by distance means, such as online or via a catalogue, you should set up an effective system capable of verifying the age of potential purchasers. Please see ['Online sales of age-restricted products'](#) for more information.

Fireworks are explosives and can only be transported for sale by specialist couriers. Ordinary couriers and Royal Mail will not carry explosives. If you wish to start selling fireworks by courier please contact your local trading standards service.

### Further information

Detailed [guidance](#) on the Pyrotechnic Articles (Safety) Regulations 2015 has been produced by the Office for Product Safety And Standards (OPSS).

Please note that there are now additional requirements you have to comply with. You may be classed as an importer into the Great Britain market, rather than being a distributor within the European Union.

### Penalties

Failure to comply with health and safety and trading standards laws can lead to enforcement action and to sanctions, which may include a fine and/or imprisonment. For more information, please see ['Trading Standards: powers, enforcement and penalties'](#).

### Key legislation

- [Health and Safety at Work etc Act 1974](#)
- [Consumer Protection Act 1987](#)
- [Fireworks Regulations 2004](#)
- [Fireworks \(Amendment\) Regulations 2004](#)
- [Explosives Regulations 2014](#)
- [Pyrotechnic Articles \(Safety\) Regulations 2015](#)

Last reviewed / updated: February 2021

### In this update

No major changes

### Please note

This information is intended for guidance; only the courts can give an authoritative interpretation of the law.

The guide's 'Key legislation' links may only show the original version of the legislation, although some amending legislation is linked to separately where it is directly related to the content of a guide. Information on amendments to legislation can be found on each link's 'More Resources' tab.



## Appendix 2

### The Firework Code

1. Make sure all fireworks comply with approved standards and regulations.
2. Don't drink alcohol if setting off fireworks.
3. Keep fireworks in a closed box and always follow the instructions carefully when using them.
4. Light them at arm's length using a taper and stand well back.
5. Never go back to them once they are lit. Even if a firework has not gone off, it could still explode.
6. Never throw fireworks and never put them in your pocket.
7. Respect your neighbours – don't let off fireworks late at night and remember there are laws to follow.
8. Take care with sparklers – never give them to children under five.
9. Even when they have gone out they are still hot so put sparklers in a bucket of water after use.
10. Keep your pets indoors throughout the evening.

# Agenda Item 7

<b>Committee</b>	<b>COMMUNITIES SCRUTINY COMMITTEE</b>
<b>Date</b>	<b>22 April 2021</b>
<b>Title</b>	<b>The Council's Public Protection Services staffing resources - ensuring capacity and resilience now and in the future</b>
<b>Cabinet Member</b>	<b>Councillor Gareth W Griffith</b>
<b>Author</b>	<b>Dafydd Wyn Williams – Head of Environment Department</b>
<b>Purpose</b>	The Scrutiny Committee is asked to accept the report and make any observations regarding the need to ensure sufficient capacity and expertise within the Public Protection Services, in order to provide resilience for the protection of the health and well-being of Gwynedd's communities in the future.

## 1. BACKGROUND

- 1.1 At a Communities Scrutiny Committee meeting outlining 'The work of the Public Protection Services during the pandemic' (Appendix 1) held on 25 February 2021, the Cabinet Member and Head of Department noted their concern around coping with the pandemic workload once the demand for normal services re-established itself. In addition, a workshop was held on 10 September 2020 with Cabinet Members, and the matters that had arisen were reported to a meeting of the Cabinet held on 15 September 2020, where it was agreed that the Boards or Departments would be asked to give attention to the relevant matters. One of the matters that arose and required attention from the Environment Department and then the Leadership Team, referred to the field of Public Health, where it was noted:

***“The lockdown and the period that followed have highlighted a great desire by our residents to ensure that we address public health matters. The demand has been significantly higher than the resource we have to satisfy it. Looking at these matters through the eyes of our residents, the aspiration is not unreasonable. Unfortunately, a decade of financial hardship has meant that we no longer have the resilience resources. Consideration will need to be given as to how to close the circle.”***

- 1.2 This report includes the Department's response to the matter above, and looks at the situation in terms of the Department's Public Protection Services capacity, the possible steps to respond to the short-term and medium-term needs, and relevant matters that will require consideration.

## 2. BACKGROUND OF CAPACITY MATTERS

- 2.1 The Protection Services have seen significant staff cuts over the past decade, with the number of staff having reduced from around 63 (including support resource) during 2011/12 to 43 (including support resource) by this point, with those cuts including abolishing of the Senior Public Protection Manager post. During this period the Services, which are statutory, front-line and fall under priority 1, have moved from seven units with seven managers to three Public Protection Services with three Managers for the following areas:

- Pollution Control and Licensing Service (12 officers including a Manager)
- Trading Standards and Animal Health / Animal Feed Services (13 officers including a Manager)
- Food, Health and Safety Service (duties including investigation of infectious disease cases) (14 officers including a Manager)

2.2 At present, four officers support the work of the above Services.

2.3 The Services have striven to mitigate the effects of the cuts by increasing the expertise of officers, which has facilitated opportunities to work across the three services. Prior to the pandemic, despite challenges in terms of the Services' resilience and performance, it was at most times possible to maintain a basic level of service that was acceptable to residents and businesses.

2.4 In light of the pandemic, Public Protection duties involving infectious diseases have clearly become one of the Council's main priorities, and therefore a new Service has been created to undertake the relevant work, namely:

- The Test, Trace and Protect Service - Covid, which currently employs over 100 officers.

2.5 In light of the pandemic, the importance of the role of the Public Protection Services has become more apparent in terms of protecting the health of our communities, as well as advising and supporting the businesses of the County and the expectation that we use our enforcement powers in light of allegations of breaching the Coronavirus regulations.

2.6 The majority of the duties with regard to enforcing new Coronavirus regulations have been implemented by Public Protection officers; however, there is a need for stricter enforcement and visual presence in our towns. The work also includes responding to and investigating positive cases of the infection following on from the work of the Test, Trace and Protect Services, as well as advising other Council departments (e.g. Education, Adults), Bangor University and the Colleges.

2.7 It is noted that the above work is in addition to the usual day-to-day work, and it is difficult to provide a timetable of how long this will continue, or what exactly the implications may be in terms of the Public Protection Services' short-term and long-term capacity.

### **3. POSSIBLE SOLUTIONS**

3.1 Based on the evidence available, it is believed that there are three steps that could be taken to contribute to mitigating the lack of short-term capacity, and in an attempt to plan for the long-term resilience of the Public Protection Services, namely:

#### **STEP 1 - THE CURRENT SITUATION (NOW - SHORT-TERM)**

3.2 Since the start of the pandemic and prior to establishing the Test, Trace and Protect Services, the three PP Services (Pollution Control and Licensing / Trading Standards and Animal Health and Feed / Food, Health and Safety) have gradually been moving away from the usual day-to-day business duties, in order to respond to additional issues relating specifically to the coronavirus restrictions.

- 3.3 As the restrictions ease and as schools, colleges and the university re-open, and as cases of the infection increase in the area, most of the usual day-to-day business is restricted to urgent matters or completely halted for a time, with this being recorded in the corporate decisions log. By now, the majority of the three services' staff resources are used to address the pandemic directly, working closely with the Test, Trace and Protect Service, with the work being split generally into:
- Advising businesses such as licensed properties, caravan parks, supermarkets and all sorts of other businesses regarding coronavirus regulations.
  - The above includes proactive work that involves 'patrol' visits to towns, along with the police, to advise businesses (this can only be undertaken infrequently due to capacity)
  - Reactive work to investigate complaints around failures to comply with the relevant regulations.
  - Advising Council departments, schools, colleges, the university and residential homes.
  - Dealing with related cases of Covid within communities, workplaces, care establishments and educational establishments.
- 3.4 We have been able to improve the resilience of the Public Protection services (temporarily) by taking advantage of grant money from the Welsh Government Hardship Fund [regional Hardship Fund]. The funding and grant are mainly used to employ three (FTE) Public Protection Enforcement / Engagement Officers (Covid-19) for each of the six Councils in North Wales for a period of 12-15 months. The idea here is to facilitate the groundwork, ensuring an increased visual presence out in our towns and villages, advising businesses, observing and reporting. In addition, as it has proven difficult from experience to recruit officers to the Public Protection Services due to qualification and experience requirements etc., the idea is that recruiting at a lower level would be easier, with training requirements that can be implemented sooner.
- 3.5 It is noted that Conwy Council has evaluated the post as GS4 level, and the job description is attached for information. The three officers have now started in their roles as 'Covid Community Engagement Officers', and the initial feedback from the communities has been highly positive.
- 3.6 It is believed that what is needed is three posts at this level as permanent posts, acknowledging that this is a long-term investment in the interests of the Services' resilience. It is therefore noted that the posts should be seen as a development opportunity for prospective applicants, with the initial posts starting at GS4, but moving up to S3 (Public Protection Enforcement Officer salary grade) with relevant training.
- 3.7 These are currently temporary positions; the Cabinet has committed an additional budget for the grant to extend the period of the posts until 1 April 2022.
- 3.8 We also receive temporary support from Health Officers from the Housing and Property Department, but this cannot become a permanent arrangement.

#### **STEP 2 - SHORT-TERM - MEDIUM-TERM**

- 3.9 Much of our Environmental Health officers' time is spent dealing with complex Covid cases. We are currently influencing at a regional level in an attempt to improve the expertise of the tracing officers, so that less is required of our environmental health officers.

3.10 Also, and as the three 'Covid Community Engagement Officers' have proven so successful, the Department is looking for sources of funding to employ three further 'Covid Community Engagement Officers' to train as future technicians or Environmental Health or Trading Standards Officers.

3.11 It will be necessary to review the structure of the three Public Protection services to also include consideration of the Test, Trace and Protect Services during 2021/22, aiming to implement a new and robust structure for the future by the end of March 2022. It is believed that consideration should be given to the following when looking at a new structure:

1. The requirements of the work relating to Covid-19 and the day-to-day business work.
2. How can we take advantage of the expertise that has been developed within the Test, Trace and Protect Services when planning ahead to respond to Covid-19 and to create resilience in the Public Protection Services.
3. A resource at a higher managerial level to facilitate arrangements for dealing with the range of contentious / high priority matters (such as Public Protection matters) that arise in the Department
4. The creation of six team leader posts within the three Public Protection Services, without increasing the staff capacity.
5. The need for three additional Public Protection Enforcement Officers (one for each area), who will work across the Services' work areas (it is possible that there will be opportunities here again to recruit from the Test, Trace and Protect Services).
6. Consideration to establish four permanent Public Protection Services for the future.

## 5. SALARY SCALES

5.1 We are very fortunate of the quality of Environmental Health and Trading Standards officers and technicians we have. Having said this, there is a concern regarding our ability to retain officers with such expertise who are also fluent Welsh-speakers. Two key threats face us, namely:

- The salaries of nearby Counties for corresponding posts are higher, which can attract our staff who have expertise. See table 1 below that compares the range of health and trading standards officers across North Wales councils.

Table 1.

Authority	Environmental Health Officer salary	Trading Standards Officer salary
GWYNEDD	£32,910 - £34,728	£32,910 - £34,728
ANGLESEY	£33,782- £37,890	£33,782- £37,890
CONWY	£37890 - £40,876	£33782 - £36922
DENBIGHSHIRE	£32,234 - £35,745	£32,234 - £35,745
FLINTSHIRE	£35,745 - £38,890	£32,910 - £34,728
WREXHAM	£33,782 - £40,876	£33,782 - £40,876

- There will be a demand for officers with the same expertise in Anglesey, to deal with Tolls and Exports as a result of Brexit

**6. MATTERS TO BE CONSIDERED**

- 6.1 It is emphasised again that recruitment has been challenging from recent experience, and even if all goes according to schedule, there will still be a need for continuous training for appointed officers. There is therefore a need to acknowledge that there is no quick solution, and that this will be something that will happen over time; that will help with the short-term / medium-term situation but that will also contribute to future resilience - where there will be a need to review the Services' structure in 2021/22.

**7. RECOMMENDATIONS**

- 7.1 The Scrutiny Committee is asked to accept the report and make any observations regarding the need to ensure sufficient capacity and expertise within the Public Protection Services, in order to provide resilience for the protection of the health and well-being of Gwynedd's communities in the future.